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Attorneys for the Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PATRICIA DESANTIS, individually and as
Successor in Interest for RICHARD
DESANTIS, deceased, and as Guardian Ad
Litem for DANI DESANTIS, a minor and
TIMOTHY FARRELL, a minor,

Plaintiffs,

v.

CITY OF SANTA ROSA, *et al.*,

Defendants.

Case No.: C 07 3386 JSW

**PLAINTIFF'S AMENDED NOTICE OF
MOTION AND MOTION FOR PARTIAL
SUMMARY ADJUDICATION**

[Fed. R. Civ. P. 56(c), 56(d)]

Date: October 17, 2008

Time: 9:00 a.m

Place: Courtroom 2, 17th floor

Judge: Jeffrey S. White

TO DEFENDANTS AND THEIR ATTORNEYS OF RECORD:

Notice is hereby given that on October 17, 2008, at 9:00 a.m., or as soon thereafter as
counsel may be heard by the above-entitled court, located at 450 Golden Gate Ave., San
Francisco, California, 94102, plaintiffs, will and hereby do move the Court for partial summary

1 adjudication pursuant to Rule 56(d). This motion is brought on the ground that plaintiffs are
2 entitled to partial summary adjudication against Sgt. Richard Celli for liability and for the reasons
3 set forth in plaintiffs' moving papers.

4 This motion is based on Plaintiffs' Memorandum of Points and Authorities, and the
5 Declaration of John H. Scott ("Scott Declaration"). This motion is also based on the pleadings
6 and papers on file in this action; such additional matters of which this Court may take judicial
7 notice; and any additional argument and evidence as may be presented at the hearing.

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9 DATED: August 11, 2008

Respectfully submitted,

10 **SCOTT LAW FIRM**

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13 By: /s/ John H. Scott
14 **JOHN HOUSTON SCOTT**

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